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11 Attorneys for Defendants
12 FRANK GRUICH, JR., and GRUICH PHARMACY SHOPPE
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15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
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19 DAVID McKAY, SHEILA McKAY and THE
20 ESTATE OF JOHN McKAY,

21 Plaintiffs,

22 VS.

23 CHRISTIAN HAGESETH, FRANK
24 GRUICH, JR., GRUICH PHARMACY
25 SHOPPE, JRB SOLUTIONS, INC., JRB
HEALTH SOLUTIONS, LLC, BENJAMIN
KREIS and GREG TUTTLE,

26 Defendants.

27 CASE NO. C-06-1377 MMC

28 HONORABLE MAXINE M. CHESNEY
COURTROOM 7

**STIPULATION TO CONTINUE
DEFENDANTS' FRANK GRUICH,
JR. AND GRUICH PHARMACY
SHOPPE'S MOTION TO DISMISS
WITH RESPECT TO PLAINTIFFS'
AMENDED COMPLAINT FROM
MAY 12, 2006, TO MAY 26, 2006**

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36 IT IS HEREBY STIPULATED, by and between the parties, through their respective
37 attorneys of record, that the hearing date of Defendants' Frank Gruich, Jr. and Gruich Pharmacy
38 Shoppe's Motion to Dismiss With Respect to Plaintiffs' Amended Complaint in this matter,

Apr 27 2006 8:58AM HP LASERJET FAX

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1 presently set for May 12, 2006 at 9:00 a.m. in Courtroom 7 of the above-entitled Court, be
2 continued to May 26, 2006, at 9:00 a.m. or as soon thereafter as the Court deems appropriate.

3 DATED: April 26, 2006

CARROLL, KELLY, TROTTER, FRANZEN & MCKENNA

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By: 

6 MARK V. FRANZEN
7 DMITRIY CHEREPINSKIY
8 Attorneys for Defendants
9 FRANK GRUICH, JR., and
10 GRUICH PHARMACY SHOPPE

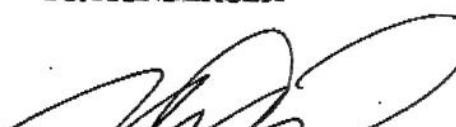
11 DATED: April 26, 2006

12 WALKUP, MELODIA, KELLY, WECHT &
13 SCHOENBERGER

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By: 

17 Matthew D. Davis, Esq.
18 Attorneys for Plaintiffs
19 DAVID MCKAY, SHEILA MCKAY AND
20 THE ESTATE OF JOHN MCKAY

21 IT IS HEREBY ORDERED THAT the parties' request to continue Defendants' Frank
22 Gruich, Jr. and Gruich Pharmacy Shoppe's Motion to Dismiss With Respect to Plaintiffs'
23 Amended Complaint is hereby GRANTED. The new Motion to Dismiss date is
24 May 26, 2006 at 9:00 a.m./p.m., in Department _____ of the above-entitled Court.

25 IT IS SO ORDERED.

26 DATED: April 28, 2006

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28 JUDGE OF THE UNITED STATES
DISTRICT COURT, NORTHERN
DISTRICT OF CALIFORNIA